

Appl. No. 10/615,712
Amdt. dated July 11, 2006
Reply to Office action of December 9, 2005

Amendments to the Drawings:

Attached hereto is a replacement sheet of drawings which replaces the original sheet of drawings. The replacement sheet is identical to the original sheet except that the numerals are now in ink rather than pencil.

REMARKS

A replacement sheet of drawings in which the numerals are in ink is attached. The specification has been amended to correct the typographical error on page 2, line 22, and to capitalize the trademark DACRON.


Claim 6, the only claim remaining in the application, has been amended to distinguish it from Gradone, U.S. Patent 3,712,296. In the Office Action, the Examiner states that Gradone discloses displacing the swab tip into a collection device by pushing the handle, but that the step of pushing the sleeve to displace the swab tip from the handle is not expressly disclosed. The Examiner then states that it would be obvious to push the sleeve to displace the swab tip from the handle. However, the handle in Gradone is split into two pieces, a forward piece 10 attached to the swab tip and a rear piece 18 which is separate from the forward piece and is not attached to the swab tip. In use, the operator grasps the rear piece 18 of the handle and pushes the sleeve relative to it to displace the swab tip along with the forward piece 16 of the handle. There is no way that a user can grab the forward piece 16 of the handle in Gradone while pushing the sleeve to remove the swab tip from it. Accordingly, a portion of the handle always is displaced along with the swab tip and it is not possible to use the device in Gradone to completely separate the swab tip from the handle as is done in the subject invention. Claim 6 has been amended to state that the handle is a unitary handle which distinguishes it from Gradone's two-piece handle. In addition, claim 6 has been amended to state that the swab tip is removed "completely" from the handle which allows the swab tip to drop into the collection device "without any of said

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handle being attached.” Accordingly, the method of the subject invention, as covered in claim 6, physically could not be practiced with the device of Gradone and, as a result, the method is not obvious over Gradone.

For the foregoing reasons, it is respectfully submitted that claim 6 is allowable over the prior art cited by the Examiner and it is requested that the application now be allowed and passed to issue.

Respectfully submitted,




Charles D. McClung
Reg. No. 26,568
Tel. No.: (503) 227-5631

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 11, 2006.

Dated: July 11, 2006


Charles D. McClung

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APPENDIX